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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,745	02/19/2004	Peter Jaenecke	Q79863	1795
72875	7590	04/02/2008	EXAMINER	
SUGHRUE MION, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037			TIMORY, KABIR A	
			ART UNIT	PAPER NUMBER
			2611	
			NOTIFICATION DATE	DELIVERY MODE
			04/02/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com  
kghyndman@sughrue.com  
USPatDocketing@sughrue.com

**Supplemental  
Notice of Allowability**

Application No.

10/780,745

Examiner

KABIR A. TIMORY

Applicant(s)

JAENECKE ET AL.

Art Unit

2611

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/13/2007.

2. ☒ The allowed claim(s) is/are 1,2,4 and 12.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some\* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☒ SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☒ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_

4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_

### DETAILED ACTION

1. This action is a correction to the last examiner's amendment mailed on 01/30/2008.

### EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephonic interview with Mark C. Davis on March 11, 2008.

Please replace the last examiner's amendments as followings:

In claims:

- (1) In claim 1, line 4; insert **--being above the clipping threshold level--** between **"signal"** and **"into"**.
- (2) In claim 1, line 7; insert **--of the signal being above the clipping threshold level--** between **"portion"** and **"by"**.

- (3) In claim 1, line 9; insert **--of the signal being above the clipping threshold level--** between **"portion"** and **"is"**.
- (4) In claim 1, line 11; insert **--being above the clipping threshold level of the signal--** between **"signal"** and **"to"**.
- (5) In claim 1, line 18; insert **--being above the clipping threshold level--** at the end of the sentence.
- (6) Cancel claim 11.
- (7) In claim 12, line 3; insert **--being--** between **"signal"** and **"above"**.
- (8) In claim 12, line 4; insert **--being above the clipping threshold level--** between **"signal"** and **"into"**.
- (9) In claim 12, line 6; insert **--of the signal being above the clipping threshold level--** between **"portion"** and **","**.
- (10) In claim 12, line 7; insert **--of the signal being above the clipping threshold level--** between **"portion"** and **"using"**.
- (11) In claim 12, line 8; insert **--of the signal being above the clipping threshold level--** between **"portion"** and **"is"**.
- (12) In claim 12, line 10; insert **--being above the clipping threshold level of the signal--** between **"signal"** and **"to be"**.
- (13) Cancel claims 13-15.

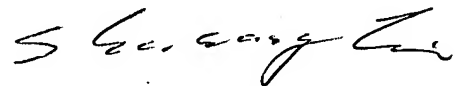
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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kabir A. Timory whose telephone number is 571-270-1674. The examiner can normally be reached on 6:30 AM - 3:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shuwang Liu can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kabir A Timory/  
Examiner, Art Unit 2611



SHUWANG LIU  
SUPERVISORY PATENT EXAMINER